

ESTTA Tracking number: **ESTTA731358**

Filing date: **03/04/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Churchill Mortgage Corporation		
Entity	Corporation	Citizenship	Tennessee
Address	761 Old Hickory Blvd, Ste 400 Brentwood, TN 37174 UNITED STATES		

Attorney information	Paul W. Kruse Bone McAllester Norton 511 Union Street Suite 1600 Nashville, TN 37219 UNITED STATES trademarks@bonelaw.com Phone:615-238-6304
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Registration Subject to Cancellation

Registration No	1646243	Registration date	05/28/1991
Registrant	CHURCHILL BRAND HOLDINGS LLC POST OFFICE BOX 961500 BOSTON, MA 021961500 UNITED STATES		

Goods/Services Subject to Cancellation

Class 036. First Use: 1982/03/27 First Use In Commerce: 1982/04/00 All goods and services in the class are cancelled, namely: LOAN FINANCING [AND MORTGAGE BANKING]SERVICES
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Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Petition to Cancel (01353388).pdf(139766 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Paul W. Kruse/
Name	Paul W. Kruse
Date	03/04/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Churchill Mortgage Corporation,)	
)	
Petitioner,)	
)	Cancellation No. _____
v.)	
)	Reg. No. 1646243
CHURCHILL BRAND HOLDINGS LLC,)	
)	
Registrant.)	
)	
Attorney Ref. No. 003927-60801)	

PETITION TO CANCEL

Box TTAB NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir:

Churchill Mortgage Corporation (hereinafter Petitioner) is or will be damaged by the continued registration of the mark CHURCHILL, which is set forth in Reg. No. 1646243 and owned by CHURCHILL BRAND HOLDINGS LLC (hereinafter Registrant), and hereby requests the cancellation of the same.

As grounds for cancellation, Petitioner, by its attorneys, avers as follows:

1. Registrant obtained under the provisions of the Lanham Act, registration on the Principle Register of the mark CHURCHILL on May 28, 1991, for “loan financing services in Class 36.

2. On July 24, 2015, Petitioner filed intent-to-use application Ser. Nos. 86641467 seeking registration on the Principle Register for the mark CHURCHILL MORTGAGE SINCE 1992 OVER 20 YEARS OF EXCELLENCE & Design for “mortgage banking services, namely, origination, acquisition, servicing, securitization and brokerage of mortgage loans” in Class 36.

3. On November 13, 2015, the Office refused registration of the mark CHURCHILL MORTGAGE SINCE 1992 OVER 20 YEARS OF EXCELLENCE & Design for “mortgage banking services, namely, origination, acquisition, servicing, securitization and brokerage of mortgage” in Class 36, citing a likelihood of confusion with the mark CHURCHILL set forth in Reg. No. 1646243.

Abandonment

4. On information and belief, Registrant is no longer using the mark CHURCHILL on the services set forth in Reg. No. 1646243. Information supporting this belief is submitted herewith as Exhibit A, incorporated herein and made of record thereby.

5. On information and belief, Registrant no longer has any intent to resume use of the mark CHURCHILL on the services Reg. No. 1646243.

6. On information and belief, Registrant has discontinued use of the mark CHURCHILL, causing the mark to lose its significance as an indication of origin.

7. On information and belief, any goodwill that may have been associated with the mark CHURCHILL has been destroyed by Registrant’s intentional abandonment and nonuse of the mark in commerce.

8. Continued registration of the mark CHURCHILL set forth in Reg. No. 1646243 will result in damage to Petitioner pursuant to the allegations stated above, and will create a
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cloud on the lawful right of Petitioner to adopt and use the mark CHURCHILL MORTGAGE SINCE 1992 OVER 20 YEARS OF EXCELLENCE and will prevent Petitioner from obtaining federal registration of the mark CHURCHILL MORTGAGE SINCE 1992 OVER 20 YEARS OF EXCELLENCE in the name of Petitioner.

WHEREFORE, Petitioner respectfully requests asks that its Petition to Cancel be sustained and that Reg. No. 1646243 be cancelled.

Please direct all communications to the undersigned at (615) 238-6300 or trademarks@bonelaw.com.

Churchill Mortgage Corporation

A handwritten signature in black ink, appearing to read 'P. W. Kruse', with a long horizontal flourish extending to the right.

By: _____

Name: Paul W. Kruse

Title: Attorney

Date: March 4, 2016

Submitted by:

Bone McAllester Norton PLLC
511 Union Street
Suite 1600
Nashville, Tennessee 37219

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on CHURCHILL BRAND HOLDINGS LLC with an address at Post Office Box 961500, c/o J.H. Management Corporation, Boston, Massachusetts 02196-1500, via first class mail, postage prepaid, today March 4, 2016.

A handwritten signature in black ink, appearing to be 'P. Kruse', written over a horizontal line.

By: _____

Name: Paul W. Kruse

Featuring: **Oskar Smolokowski**
(Impossible Project)

Capital Markets
Company Overview of Churchill Financial Group, Inc. March 03, 2016 4:45 PM ET

S&P CAPITAL IQ
MUSGRAVE FINANCIAL

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April 4-5, 2016
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Company Overview
The Churchill Financial Group is out of business. It was a principal investment holding company specializing in mezzanine financing, senior and subordinated debt, and asset management activities. Through its subsidiaries the firm participates in leveraged buyout, growth capital, acquisition, financing, recapitalization, and senior and subordinated debt financing for middle market companies. It invests in companies engaged in the distribution, service providers, medical and dental, packaging, aerospace, automotive, building materials, consumer products, and industrial products sectors. The firm invests between \$5 million and \$30 million in companies based in the United States and Canada with E...

Key Executives
Churchill Financial Group, Inc. does not have any Key Executives recorded.

Detailed Description
400 Park Avenue
Suite 1510
New York, NY 10022
United States
Founded in 2005
Phone: 212-763-4600
Fax: 212-763-4601

Most Searched Private Companies
Company Name
Lawyers Committee for Civil Rights
Under Law
NYC2012, Inc.
Bartelsmann AG
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Rush University
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United States
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Exhibit A

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